

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ORDER

In accordance with the Memorandum filed herewith, the Defendant's motion for summary judgment (Docket Entry No. 18) is GRANTED. This action is DISMISSED with prejudice. Each party shall bear its own costs.

This is the Final Order in this action

It is so ORDERED.

ENTERED this the 21st day of October, 2005

William L. Haynes, Jr.
WILLIAM L. HAYNES, JR.
United States District Judge